

ORIGINAL > to CV w/10

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VINCENZO MAZZAMUTO,
Plaintiff

vs.

UNUM PROVIDENT
CORPORATION, et al.,
Defendants

: CIVIL ACTION
: NO. 1:CV-01-1157
:

: JUDGE CONNER
:
:
:
:

FILED
HARRISBURG, PA

MAR 07 2003

MARY E. D'ANDREA, C
Pg. 10

DEFENDANTS' RESPONSE TO
PLAINTIFF'S MOTION TO AMEND COMPLAINT

Defendants hereby respond to plaintiff's Motion to Amend the Complaint. In support of this Response, Defendants incorporate herein in its entirety the accompanying memorandum of law which is filed concurrently.

1. Admitted.
2. Admitted in part and denied in part. It is admitted that the referenced pleading alleged a chronology from approximately July 2000 through the June 2001 when the complaint was filed. All contrary averments are denied. Further, it is denied that the complaint's averments are accurate as outlined more fully in defendants' answer to the complaint.
3. Admitted in part and denied in part. It is admitted only that defendants have not reversed the denial of plaintiff's claim. It is also admitted that some of the information alleged in paragraph 3 of plaintiff's motion has been received although plaintiff's characterization of much of the information in

question is inaccurate and therefore denied. It is denied that the denial of plaintiff's claim has been made "despite" the receipt of additional information in that, among other things, most of the referenced information is either irrelevant or supports the decision to deny the claim.

4. Admitted in part and denied in part. It is admitted only that plaintiff apparently makes the referenced assertions. It is denied that plaintiff's assertions are accurate.

5. Denied.

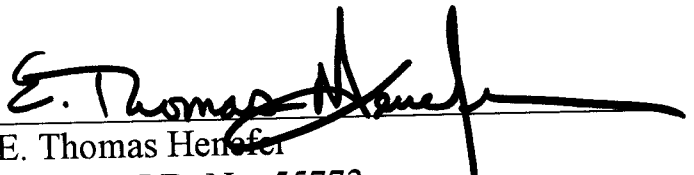
6. Denied.

WHEREFORE, the defendants respectfully request that plaintiff's Motion to Amend the Complaint be denied.

Dated: March 6, 2003

STEVENS & LEE

By

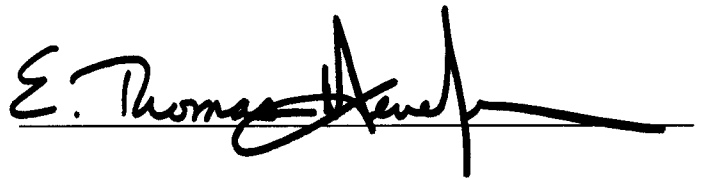

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, E. Thomas Henefer, Esquire, certify that on this date, I served a certified true and correct copy of the foregoing Defendants' Response To Plaintiff's Motion To Amend the Complaint upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Richard C. Angino, Esquire
4503 North Front Street
Harrisburg, PA 17110

A handwritten signature in black ink, reading "E. Thomas Henefer", is written over a horizontal line. The signature is stylized with a large, looped initial "E" and a long, sweeping horizontal stroke at the end.

Date: March 6, 2003